



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gilbreth *et al.*

Appl. No. 10/037,916

Filed: January 2, 2002

For: **Method and System for Control of
Turbogenerator Power and
Temperature**

Confirmation No. 7610

Art Unit: 2834

Examiner: Ponomarenko, N.

Atty. Docket: 2066.0010002

(Capstone Reference No. 0483)

Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a

foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.

- ☒ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
 - ☐ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).

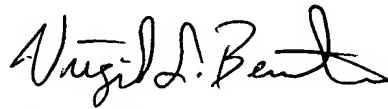
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$ 180.00 in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below:
- ☒ 7. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. 09/207,817, filed December 8, 1998, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Virgil L. Beaton
for Applicants
Registration No. 47,415

Date: 9/5/03

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FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO. 2066.001002

APPLICATION NO. 10/037,916

APPLICANT Gilbreth *et al.*

FILING DATE January 2, 2002

GROUP 2834

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	2,864,244	12/1958	Prachar			
	AB1	3,124,924	3/1964	Smith			
	AC1	3,250,973	5/1966	Dawson			
	AD1	3,569,809	3/1971	Comer			
	AE1	3,591,844	7/1971	Schonebeck			
	AF1	3,703,076	11/1972	Hagemeister			
	AG1	3,724,214	4/1973	Bryant			
	AH1	3,764,815	10/1973	Habock <i>et al.</i>			
	AI1	3,809,914	5/1974	Kilgore <i>et al.</i>			
	AJ1	3,829,758	8/1974	Studtmann			
	AK1	3,937,974	2/1976	Lafuze			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1	3634328	4/1987	DE			Yes No
	AM1	19704662	8/1998	DE			Yes No
	AN1	0 472 294	2/1992	EP			Yes No
	AO1	0 679 800	11/1995	EP			Yes No
	AP1	0 837 231	4/1998	EP			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	1	Japanese Patent Application entitled "Turbogenerator/Motor Control System"; filed May 13, 1999, Japanese Serial No. 133003/1999.
AS	1	Japanese Patent Application entitled "Command and Control System and Method for Multiple Turbogenerators", filed October 27, 1999, Japanese Serial No. 305375/1999.
AT	1	Japanese Patent Application entitled "Turbogenerator/Motor Controller", filed August 4, 1998, Japanese Serial No.220231/1998.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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	AA2	3,991,357	11/1976	Kaminski			
	AB2	4,005,581	2/1977	Aanstad			
	AC2	4,015,187	3/1977	Sasaki <i>et al.</i>			
	AD2	4,039,914	8/1977	Steigerwald <i>et al.</i>			
	AE2	4,093,869	6/1978	Hoffmann <i>et al.</i>			
	AF2	4,119,861	10/1978	Gocho			
	AG2	4,258,424	3/1981	Giras <i>et al.</i>			
	AH2	4,265,099	5/1981	Johnson <i>et al.</i>			
	AI2	4,292,534	9/1981	Diegel <i>et al.</i>			
	AJ2	4,340,820	7/1982	Meyer-Pittroff <i>et al.</i>			
	AK2	4,401,938	8/1983	Cronin			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATI ON
	AL2	0 901 218	3/1999	EP			Yes No
	AM2	1453862	4/1965	FR			Yes No
	AN2	2395316	1/1979	FR			Yes No
	AO2	52-60924	5/1977	JP			Yes No
	AP2	WO 94/27359	11/1994	WO			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	2	
	AS	2	
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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA3	4,442,385	4/1984	Van Sickle			
	AB3	4,471,229	9/1984	Plohn <i>et al.</i>			
	AC3	4,481,459	11/1984	Mehl <i>et al.</i>			
	AD3	4,498,551	2/1985	Arbisi			
	AE3	4,551,980	11/1985	Bronicki			
	AF3	4,560,364	12/1985	Cohen			
	AG3	4,565,957	1/1986	Gary <i>et al.</i>			
	AH3	4,684,814	8/1987	Radomski			
	AI3	4,709,318	11/1987	Gephart <i>et al.</i>			
	AJ3	4,719,550	1/1988	Powell <i>et al.</i>			
	AK3	4,730,397	3/1988	Weiford <i>et al.</i>			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATI ON
	AL3	WO 98/25014	6/1998	WO			Yes No
	AM3	WO 99/32762	7/1999	WO			Yes No
	AN3	WO 99/52193	10/1999	WO			Yes No
	AO3	WO 00/28191	5/2000	WO			Yes No
	AP3						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>3</u>	
	AS	<u>3</u>	
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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA4	4,754,607	7/1988	Mackay			
	AB4	4,757,686	7/1988	Kawamura <i>et al.</i>			
	AC4	4,772,802	9/1988	Glennon <i>et al.</i>			
	AD4	4,786,852	11/1988	Cook			
	AE4	4,802,882	2/1989	Heidrich			
	AF4	4,830,412	5/1989	Raad <i>et al.</i>			
	AG4	4,833,887	5/1989	Kawamura <i>et al.</i>			
	AH4	4,841,216	6/1989	Okada <i>et al.</i>			
	AI4	4,862,009	8/1989	King			
	AJ4	4,883,973	11/1989	Lakey <i>et al.</i>			
	AK4	4,908,565	3/1990	Cook <i>et al.</i>			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATI ON
	AL1						Yes No
	AM1						Yes No
	AN1						Yes No
	AO1						Yes No
	AP1						Yes No

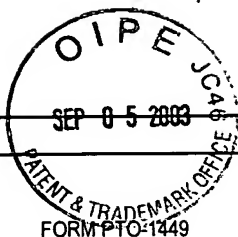
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>4</u>	
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	AA5	4,939,441	7/1990	Dhyanchand			
	AB5	4,955,199	9/1990	Kawamura			
	AC5	4,967,096	10/1990	Diemer <i>et al.</i>			
	AD5	4,968,926	11/1990	Dhyanchand			
	AE5	4,982,569	1/1991	Bronicki			
	AF5	5,013,929	5/1991	Dhyanchand			
	AG5	5,015,941	5/1991	Dhyanchand			
	AH5	5,029,062	7/1991	Capel			
	AI5	5,038,566	8/1991	Hara			
	AJ5	5,055,764	10/1991	Rozman <i>et al.</i>			
	AK5	5,057,763	10/1991	Torii <i>et al.</i>			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATI ON
	AL2						Yes No
	AM2						Yes No
	AN2						Yes No
	AO2						Yes No
	AP2						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	5	
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	AA6	5,068,590	11/1991	Glennon <i>et al.</i>			
	AB6	5,088,286	2/1992	Muraji			
	AC6	5,097,195	3/1992	Raad <i>et al.</i>			
	AD6	5,115,183	5/1992	Kyoukane <i>et al.</i>			
	AE6	5,158,504	10/1992	Stocco			
	AF6	5,191,520	3/1993	Eckersley			
	AG6	5,214,371	5/1993	Naidu			
	AH6	5,237,260	8/1993	Takakado <i>et al.</i>			
	AI6	5,250,890	10/1993	Tanamachi <i>et al.</i>			
	AJ6	5,252,860	10/1993	McCarty <i>et al.</i>			
	AK6	5,260,637	11/1993	Pizzi			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATI ON
	AL3						Yes No
	AM3						Yes No
	AN3						Yes No
	AO3						Yes No
	AP3						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>6</u>	
	AS	<u>6</u>	
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	AA7	5,281,905	1/1994	Dhyanchand <i>et al.</i>			
	AB7	5,291,106	3/1994	Murty <i>et al.</i>			
	AC7	5,309,081	5/1994	Shah <i>et al.</i>			
	AD7	5,325,043	6/1994	Parro			
	AE7	5,345,154	9/1994	King			
	AF7	5,363,032	11/1994	Hanson <i>et al.</i>			
	AG7	5,364,309	11/1994	Heidrich <i>et al.</i>			
	AH7	5,373,195	12/1994	De Doncker <i>et al.</i>			
	AI7	5,381,081	1/1995	Radun			
	AJ7	5,387,859	2/1995	Murugan <i>et al.</i>			
	AK7	5,404,092	4/1995	Gegner			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATI ON
	AL1						Yes No
	AM1						Yes No
	AN1						Yes No
	AO1						Yes No
	AP1						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

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	AS	<u>I</u>	
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U.S. PATENT DOCUMENTS

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	AA8	5,406,797	4/1995	Kawamura			
	AB8	5,428,275	6/1995	Carr <i>et al.</i>			
	AC8	5,430,362	7/1995	Carr <i>et al.</i>			
	AD8	5,477,091	12/1995	Fiorina <i>et al.</i>			
	AE8	5,488,286	1/1996	Rozman <i>et al.</i>			
	AF8	5,495,162	2/1996	Rozman <i>et al.</i>			
	AG8	5,495,163	2/1996	Rozman <i>et al.</i>			
	AH8	5,510,696	4/1996	Naidu <i>et al.</i>			
	AI8	5,512,811	4/1996	Latos <i>et al.</i>			
	AJ8	5,544,484	8/1996	Voss <i>et al.</i>			
	AK8	5,545,090	8/1996	Kirschey			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATI ON
	AL2						Yes No
	AM2						Yes No
	AN2						Yes No
	AO2						Yes No
	AP2						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>8</u>	
	AS	<u>8</u>	
	AT	<u>8</u>	

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	AA9	5,546,742	8/1996	Shekhawat <i>et al.</i>			
	AB9	5,550,410	8/1996	Titus			
	AC9	5,550,455	8/1996	Baker			
	AD9	5,559,421	9/1996	Miyakawa			
	AE9	5,563,802	10/1996	Plahn <i>et al.</i>			
	AF9	5,568,023	10/1996	Grayer <i>et al.</i>			
	AG9	5,572,108	11/1996	Windes			
	AH9	5,581,168	12/1996	Rozman <i>et al.</i>			
	AI9	5,587,647	12/1996	Bansal <i>et al.</i>			
	AJ9	5,594,322	1/1997	Rozman <i>et al.</i>			
	AK9	5,637,987	6/1997	Fattic <i>et al.</i>			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATI ON
	AL3						Yes No
	AM3						Yes No
	AN3						Yes No
	AO3						Yes No
	AP3						Yes No

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	AR	<u>9</u>	
	AS	<u>9</u>	
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	AA10	5,646,458	7/1997	Bowyer <i>et al.</i>			
	AB10	5,656,915	8/1997	Eaves			
	AC10	5,743,227	4/1998	Jacquet <i>et al.</i>			
	AD10	5,767,637	6/1998	Lansberry			
	AE10	5,789,881	8/1998	Egami <i>et al.</i>			
	AF10	5,799,484	9/1998	Nims			
	AG10	5,819,524	10/1998	Bosley <i>et al.</i>			
	AH10	5,847,522	12/1998	Barba			
	AI10	5,903,116	5/1999	Geis <i>et al.</i>			
	AJ10	5,905,346	5/1999	Yamada <i>et al.</i>			
	AK10	5,929,537	7/1999	Glennon			

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	AL1						Yes No
	AM1						Yes No
	AN1						Yes No
	AO1						Yes No
	AP1						Yes No

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	AR	<u>10</u>	
	AS	<u>10</u>	
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	AA11	5,936,312	8/1999	Koide <i>et al.</i>			
	AB11	5,939,794	8/1999	Sakai <i>et al.</i>			
	AC11	5,946,086	8/1999	Bruce			
	AD11	5,982,645	11/1999	Levrn <i>et al.</i>			
	AE11	5,998,976	12/1999	Steffan			
	AF11	6,005,297	12/1999	Sasaki <i>et al.</i>			
	AG11	6,020,713	2/2000	Geis <i>et al.</i>			
	AH11	6,023,135	2/2000	Gilbreth <i>et al.</i>			
	AI11	6,031,294	2/2000	Geis <i>et al.</i>			
	AJ11	6,051,951	4/2000	Arai <i>et al.</i>			
	AK11	6,054,776	4/2000	Sumi			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATI ON
	AL2						Yes No
	AM2						Yes No
	AN2						Yes No
	AO2						Yes No
	AP2						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>11</u>	
	AS	<u>11</u>	
	AT	<u>11</u>	

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FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO. 2066.001002

APPLICATION NO. 10/037,916

APPLICANT Gilbreth *et al.*

FILING DATE January 2, 2002

GROUP 2834

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA12	6,064,122	5/2000	McConnell			
	AB12	6,087,734	7/2000	Maeda <i>et al.</i>			
	AC12	6,107,775	8/2000	Rice <i>et al.</i>			
	AD12	6,147,414	11/2000	McConnell <i>et al.</i>			
	AE12	6,153,942	11/2000	Roseman <i>et al.</i>			
	AF12	6,169,332 B1	1/2001	Taylor <i>et al.</i>			
	AG12	6,169,334 B1	1/2001	Edelman			
	AH12	6,175,210 B1	1/2001	Schwartz <i>et al.</i>			
	AI12	6,194,794 B1	2/2001	Lampe <i>et al.</i>			
	AJ12	6,093,975	7/2000	Peticolas			
	AK12						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATI ON
	AL3						Yes No
	AM3						Yes No
	AN3						Yes No
	AO3						Yes No
	AP3						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>12</u>	
	AS	<u>12</u>	
	AT	<u>12</u>	

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